

FILED

August 3, 2022

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
By: RG
Deputy

Case No: SA:22-CR-00379-JKP

UNITED STATES OF AMERICA

Plaintiff

v

MARLON LARON SIMIEN

Defendant

INDICTMENT

**COUNT 1: 18 U.S.C. § 922(o)
Illegal Possession of a Machinegun**

**COUNT 2: 18 U.S.C. § 922(n)
Receipt of a Firearm by a Person Under Indictment**

THE GRAND JURY CHARGES:

**COUNT ONE
[18 U.S.C. § 922(o)]**

That on or about July 1, 2022, in the Western District of Texas, Defendant,

MARLON LARON SIMIEN,

knowingly possessed at least one machinegun, that is, a Glock, model 19, 9mm caliber pistol, serial number BVTV656, and a Palmetto State Armory, model PA-15, multi-caliber pistol, serial number SCG450657, each equipped with a conversion device that made it capable of firing automatically more than one shot, without manual reloading, by a single function of the trigger, in violation of Title 18, United States Code, Section 922(o).

**COUNT TWO
[18 U.S.C. § 922(n)]**

That on or about July 1, 2022, in the Western District of Texas, Defendant,

MARLON LARON SIMIEN,

knowing he was then under indictment for a crime punishable by imprisonment for a term exceeding one year, did willfully receive a firearm, to wit: a Glock, model 19, 9mm caliber pistol,

serial number BVTV656, and a Palmetto State Armory, model PA-15, multi-caliber pistol, serial number SCG450657, which had been shipped and transported in interstate and foreign commerce, in violation of Title 18, United States Code, Section 922(n).

NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE

[See Fed. R. Crim. P. 32.2]

Firearms Violation and Forfeiture Statutes

[Title 18 U.S.C. §§ 922(o), (n), subject to forfeiture pursuant to Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461]

As a result of the criminal violations set forth in Counts One and Two, the United States of America gives notice to the Defendant **MARLON LARON SIMIEN** of its intent to seek the forfeiture of the properties described below upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461, which states:

Title 18 U.S.C. § 924. Penalties

(d)(I) Any firearm or ammunition involved in or used in any knowing violation of subsection . . . (o) . . . (n)...of section 922 . . . shall be subject to seizure and forfeiture . . . under the provisions of this chapter. . .

This Notice of Demand for Forfeiture includes but is not limited to the following properties described below:

1. Glock, model 19, 9mm caliber pistol, SN: BVTV656, w/ Glock Switch;
2. Palmetto State Armory, model PA-15, multi-caliber pistol, SN: SCG450657, w/ swift-link;
3. Any and all firearms, ammunition, and/or accessories involved in or used in the commission of the criminal offenses, including but not limited to magazines,

backplates/gun parts, and modification kits/tools.

A TRUE BILL

A black rectangular redaction box covering a signature.

FOR PERSON OF THE GRAND JURY

ASHLEY C. HOFF
UNITED STATES ATTORNEY

BY:

A handwritten signature in blue ink, appearing to be 'BN'.

FOR BRIAN NOWINSKI
Assistant United States Attorney